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United States v. Tomas Santillanes-Lopez

07cr3107-W

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EXHIBIT C

REQUESTED BY: COFFEE PHILIP N

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DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION	TECS ACCESS CODE 3 PAGE 1 CASE NUMBER [redacted]

TITLE: SANTILLANES-LOPEZ, TOMAS

CASE STATUS: INIT RPT

REPORT DATE	DATE ASSIGNED	PROGRAM CODE	REPORT NO.
082002	080602	[redacted]	001

RELATED CASE NUMBERS: [redacted]

COLLATERAL REQ:

TYPE OF REPORT:
INVESTIGATIVE FINDINGS
MEMO OF INTERVIEW

TOPIC: ARREST OF SANTILLANES-LOPEZ, TOMAS; SEIZURE OF 31.5 LBS. COCAINE

SYNOPSIS:

On August 01, 2002 Tomas SANTILLANES-Lopez was arrested for attempting to smuggle 31.50 pound (14.30 kilograms) of cocaine into the United States, from the Republic of Mexico. SANTILLANES-Lopez was the owner; operator and sole occupant of a 1996 Ford Explorer bearing Arizona license plate number 570-JJZ. A Narcotic's Detection Dog was used to search the vehicle and responded positively to the gas tank of the vehicle. An access panel was discovered and removed revealing several packages wrapped in silver tape. When one of the packages was probed it revealed a white powdery substance that tested positive for cocaine. The U.S. Attorney's Office was contacted and accepted prosecution of SANTILLANES-Lopez, Tomas.

This report details the arrest of SANTILLANES-Lopez, Tomas, the seizure of the 31.50 pounds of cocaine and the seizure of the 1996 Ford Explorer.

DISTRIBUTION: RACSL	SIGNATURE: CONSAVAGE JOSEPH W SPECIAL AGENT APPROVED: EVANS KEVIN J OI GRP SUPERVISOR
	ORIGIN OFFICE: SL YUMA/SAN LUIS - RAC
	TELEPHONE: [redacted] TYPIST: CONSAVAGE

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ICE

REPORT OF INVESTIGATION
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CASE NUMBER [redacted]

REPORT NUMBER: 001

DETAILS OF INVESTIGATON:

On August 01, 2002, at approximately 0620 hours, SANTILLANES-Lopez, Tomas entered the United States, from the Republic of Mexico, via the San Luis, AZ Port of Entry (POE). When SANTILLANES-Lopez approached the POE, in his 1996 Ford Explorer, he was stopped and questioned by Senior Immigration Inspector (SII) Lemus. SII Lemus questioned SANTILLANES-Lopez as to his citizenship and what he was bringing into the United States. SII Lemus noticed that SANTILLANES-Lopez appeared to be acting overly friendly and that his hand was shaking when he gave SII Lemus his I-551 Resident Alien Card. SANTILLANES-Lopez stated that he had been the owner of the vehicle for the past three months but he had only recently registered the vehicle in his name. SII Lemus noted that SANTILLANES-Lopez was still acting very nervous and his hands were still shaking so he directed SANTILLANES-Lopez to the secondary inspection area for further questioning.

When SANTILLANES-Lopez arrived at the secondary inspection area he was met and questioned by Customs Inspector (CI) Arvizo. SANTILLANES-Lopez gave CI Arvizo his valid I-551 Resident Alien Card and told him that he wasn't bringing anything into the U.S. SANTILLANES-Lopez claimed he had entered the U.S. to go shopping in San Luis, AZ. CI Arvizo noted that SANTILLANES-Lopez appeared very nervous while answering questions. SANTILLANES-Lopez was slurring his speech and his hands were shaking badly. CI Arvizo escorted SANTILLANES-Lopez to the secondary detention area and requested that Canine Enforcement Officer (CEO) Vela use his Narcotics Detecting Dog (NDD) to search the vehicle. CEO Vela performed an olfactory examination of the vehicle using his assigned NDD [redacted]. [redacted] alerted to the gas tank of the vehicle. Due to a family emergency, CI Arvizo turned over control of SANTILLANES-Lopez and the vehicle to CI Rodriguez for further examination.

The gas tank of the vehicle was examined and a man made compartment was discovered on the top of the tank. When the compartment was opened, packages wrapped in silver tape were visible inside of the gas tank. CI Rodriguez probed one of the packages and discovered a white powdery substance within. CI Rodriguez field-tested the white powder, using a NarcoPouch test kit number 904B, and the substance tested positive for the presence of cocaine.

The vehicle was secured and CI Rodriguez called and requested an agent be sent to the POE. At approximately 0810 hours SA Consavage and SA Curiel arrived at the POE and spoke with CI Rodriguez. After SA Curiel and Consavage approved the removal of the packages from the tank, the gas tank was separated from the vehicle and fifteen packages were removed. An access hole was also found underneath the carpeting on the floor of the back seat that led directly into the access panel in the gas tank. The packages were taken to the inspector's

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REPORT OF INVESTIGATION
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CASE NUMBER [redacted]

REPORT NUMBER: 001

office and weighed. The aggregate weight of the 15 packages was approximately 31.50 pounds (14.30 kilograms). Control of the cocaine and the vehicle was turned over to the San Luis POE Seized Property Specialist (SPS) as per Custom's Form 6051 numbered [redacted]. Custody of SANTILLANES-Lopez was turned over to SA Curiel and SA Consavage.

At 0838 hours, SA Curiel advised SANTILLANES-Lopez of his rights as per DEA Form 13A. SANTILLANES-Lopez stated he understood all of his rights and he was willing to waive his rights and speak with SA Curiel and SA Consavage without having a lawyer present.

During the interview, SANTILLANES-Lopez stated the following:

SANTILLANES-Lopez stated he had purchased the vehicle he was driving approximately one month ago. He had seen the vehicle parked with a "for sale" sign on it and had contacted the owner, Salso Garcia. He had purchased the vehicle for $5,000.00 and had just recently registered the vehicle. SANTILLANES-Lopez stated that he works as a foreman for a fruit picking company but that he was not working at the moment.

SANTILLANES-Lopez stated he was in a park Sunday, July 28th, waiting for his sons when he noticed three men in a red Ford truck parked next to his vehicle. When he approached his vehicle, two of the men exited the truck and approached him. The men told SANTILLANES-Lopez that they needed his truck to cross some stuff through the POE into the U.S. SANTILLANES-Lopez claimed the men told him that if he didn't cross the truck they would kill his son Tomas. The men told him that they would find him later and get the truck from him.

On July 30th, SANTILLANES-Lopez left home to purchase some groceries, a small car intercepted his truck and a man got in with SANTILLANES-Lopez. They drove SANTILLANES-Lopez home and took the truck from him. On July 31st, at approximately 1900 hours, the men returned with the truck and told SANTILLANES-Lopez to drive the truck through the POE between 0600 and 0700 hours. SANTILLANES-Lopez stated he was to drive the truck to Maxi's market and leave the truck unlocked with the keys under the front seat. SANTILLANES-Lopez was then to walk back into Mexico. The men told SANTILLANES-Lopez that if he did this, they would pay him $2,000.00 and nothing would happen to his son. SANTILLANES-Lopez stated that the men had told him the vehicle contained " chingadera". When questioned as to what the men meant by that term, SANTILLANES-Lopez said that he thought they meant drugs. He didn't know what kind of drugs were in the vehicle but he was sure that there were drugs in the truck.

SANTILLANES-Lopez claimed he thought the men worked for the Mexican Police and he thought they would kill his son. He stated that the men knew where he

DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION CONTINUATION	PAGE 4 CASE NUMBER [redacted] REPORT NUMBER: 001

lived and that he had told them he didn't want any money he just wanted to be left alone.

At approximately 1000 hours, the interview with SANTILLANES-Lopez was concluded. SA Consavage then contacted the U.S. Attorney's office and Assistant U.S. Attorney Mark Reeves accepted prosecution of SANTILLANES-Lopez for 21 USC 952, Importation of a Controlled Substance, and 21 USC 841, Possession of a Controlled Substance with Intent to Distribute.

A search of the Treasury Enforcement Communication System II (TECS II) was conducted on SANTILLANES-Lopez, Tomas. It was determined that he had no known prior criminal history and had no outstanding warrants.

SANTILLANES-Lopez was paroled into the United States by the U.S. Immigration and Naturalization Service and was transported to the Yuma County Adult Detention Facility, pending his initial appearance before U.S. Magistrate Court Judge Jay R. Irwin. During his initial appearance, SANTILLANES-Lopez was remanded to the custody of the U.S. Marshal's Service.

The investigation continues.

EXHIBIT D

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Attorneys for Mr. Santillanes-Lopez

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE THOMAS J. WHELAN)

UNITED STATES OF AMERICA, Plaintiff, v. TOMAS SANTILLANES-LOPEZ, Defendant.	Case No.: 07cr3108-W DECLARATION OF JASON I. SER IN SUPPORT OF MOTION TO DISMISS

I, Jason I. Ser, declare under penalty of perjury that:

1. I am the attorney in the above-captioned case and make this declaration in support of a motion filed with this Court to dismiss the indictment.
2. I have received discovery from the assistant assigned to this case during the pendency of the instant proceedings.
3. That discovery included two reports from a 2002 case filed in federal district court in Arizona, after Mr. Santillanes-Lopez was arrested for allegedly having cocaine in a vehicle he had driven to the port of entry at San Luis.
4. I reviewed those materials.
5. This declaration is based upon my review of those materials.

6. The August 2002 report indicates that post-arrest, Mr. Santillanes-Lopez provided statements identifying threats made against his son's life by several men and that these men "told him that if he didn't cross the truck [with drugs] they would kill his son Tomas. The men told him that they would find him later and get the truck from him."

7. Subsequent to his arrest, the September 2002 report indicates Mr. Santillanes-Lopez underwent a polygraph examination conducted by the Federal Bureau of Investigations ("FBI") "to determine the validity of the statements he had made to SA Consavage on the date of his arrest."

8. Based upon Mr. Santillanes-Lopez's performance during that examination, the FBI polygraph examiner "concluded that, based on the examination, the statements Santillanes had given were truthful."

9. That same September 2002 report also stated that "As a result of the polygraph examination, all charges against Santillanes were dismissed, with prejudice, in the interest of justice on October 28, 2002."

10. I also compared the reports from the 2002 arrest with reports prepared by agents in the instant case, the latter of which also were provided to me in discovery by the assistant assigned to this case.

11. In the 2002 case, the drugs were found in a gas tank compartment that had an access plate on the top of the tank.

12. In the instant case, the drugs were found in a gas tank compartment that had an access plate on the top of the tank.

13. Post-arrest in this case, the case agent's report states Mr. Santillanes-Lopez told him that the same men who threatened his family in 2002 made similar threats against him prior to his arrest in this case.

14. Mr. Santillanes-Lopez also stated that these men were "upset because they think he told the officers about them in 2002."

I swear that, to the best of my knowledge and memory, the foregoing is true and correct.

DATED: March 27, 2008

JASON I. SER

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EXHIBIT E

REQUESTED BY: GILGAL , JEFFREY J

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ICE

REPORT OF INVESTIGATION

TECS ACCESS CODE [redacted]

PAGE 1

CASE NUMBER [redacted]

TITLE: SANTILLANES-LOPEZ, TOMAS

CASE STATUS: INIT RPT

REPORT DATE	DATE ASSIGNED	PROGRAM CODE	REPORT NO.
110707	110507	[redacted]	001

RELATED CASE NUMBERS: [redacted]

COLLATERAL REQ:

TYPE OF REPORT:
MEMO OF INTERVIEW / INVESTIGATIVE FINDINGS

TOPIC: ARREST/INTERVIEW OF SANTILLANES

SYNOPSIS:

On November 4, 2007, Tomas SANTILLANES-Lopez, entered the United States through the Calexico, California West Port of Entry (POE). SANTILLANES was the driver and registered owner of a 1999 Nissan Sentra bearing California license plates (CA/US) 5ROY238. Andrea Hernandez-Mendoza and her minor son accompanied SANTILLANES. U.S. Customs and Border Protection (CBP) Officers discovered 19.00 kilograms (41.80 pounds) of cocaine concealed within the gas tank of the vehicle.

SANTILLANES admitted knowledge of the narcotics in the vehicle and exonerated Hernandez. Hernandez and her son were released. SANTILLANES was arrested for violation of Title 21 United States Code (USC) 952 and 960, Importation of Controlled Substances. SANTILLANES was transported to the Imperial County Jail pending his initial appearance before a U.S. Magistrate.

DISTRIBUTION:
ASCCA SACSD CAMX FPFSD

SIGNATURE:
GILGALLON JEFFREY J SPECIAL AGENT

APPROVED:
COFFEEN PHILIP N OI GRP SUPERVISOR

ORIGIN OFFICE: CA
CALEXICO, CA - ASAC

TELEPHONE: [redacted]

TYPIST: GILGALLON

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DEPARTMENT OF HOMELAND SECURITY ICE REPORT OF INVESTIGATION CONTINUATION	PAGE 2 CASE NUMBER [redacted] REPORT NUMBER: 001

DETAILS OF INVESTIGATION:

On November 4, 2007, at approximately 0704 hours, a 1999 Nissan Sentra bearing California (CA/US) license plates 5ROY238 entered the United States through the Calexico, California West POE. CBPO R. Torres was manning primary inspection lane #7 when the Nissan approached.

The driver, Tomas SANTILLANES-Lopez, presented a valid Lawfully Admitted Permanent Resident (LAPR) Alien Card (I-551) to CBPO Torres. Andrea HERNANDEZ-Mendoza (LAPR) and her minor son, Jose Hernandez (USC), accompanied SANTILLANES. SANTILLANES gave a negative oral Customs declaration to CBPO Torres and said he was going to Mecca, CA. CBPO Torres scanned SANTILLANES' I-551 card into the Treasury Enforcement Communications System (TECS) and received a positive name match. CBPO Torres referred the vehicle and occupants to the vehicle secondary inspection area for a more intensive examination.

In the vehicle secondary inspection area, SANTILLANES told CBPO G. Valenzuela he was going to Indio, CA. CBPO Valenzuela noticed SANTILLANES was speaking very rapid and asked him to slow down because he was not making any sense. SANTILLANES told CBPO Valenzuela he was bringing only an ice chest from Mexico. SANTILLANES said he owned the vehicle for two years. CBPO Valenzuela inspected the gas tank area of the vehicle and noticed a lot of mud around the gas tank but not the rest of the undercarriage.

CBPO G. Valenzuela, with the assistance of CBPO's G. Ornelas and E. Hernandez, escorted SANTILLANES, Andrea Hernandez and her son, Jose Hernandez to the vehicle secondary inspection office where a pat down search for weapons and/or merchandise was conducted on them with negative results.

CBPO Valenzuela returned to the vehicle secondary lot and requested that CBP Canine Enforcement Officer (CEO) C. Jones utilize his assigned Human/Narcotic Detector Dog (HNDD), [redacted]

CEO Jones screened the vehicle with [redacted] and noticed that [redacted] alerted to the rear passenger seating area of the vehicle. CEO Jones informed CBPO Valenzuela of the positive alert.

CBPO Valenzuela tapped on the gas tank and noticed it sounded solid. The gas tank was removed revealing an access plate (approximately 10"x10") on the top of the gas tank. The access plate was removed revealing several vacuum-sealed packages wrapped in duct and electrical tape. CBPO Valenzuela probed one of the packages, which produced a white-powdery substance. CBPO Valenzuela field-tested the white-powdery substance, which tested positive for the presence of cocaine.

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A total of seventeen (17) packages were discovered in the gas tank. The combined weight of the packages was 19.00 kilograms (41.80 pounds). The cocaine was transferred to the custody of the POE Seized Property Custodian (SPC).

U.S. Immigration and Customs Enforcement (ICE) Special Agents (SA) Jeffrey Gilgallon and SA Mario Vasquez responded to the Calexico West POE.

At approximately 1040 hours, SA Vasquez advised SANTILLANES of his Miranda Rights by reading him an ICE pre-printed Advisement of Rights form in the Spanish language, witnessed by SA Gilgallon. SANTILLANES stated that he understood his rights and waived his right, both orally and in writing, to have an attorney present during questioning. SANTILLANES signed the Waiver of Rights and agreed to answer questions. On November 5, 2007, SA Gilgallon notified the Mexican Consulate of SANTILLANES' arrest.

INTERVIEW OF SANTILLANES:

Agents recorded the following interview on a Digital Video Disc (DVD), which is maintained in the ASAC Calexico case file. Two copies of the DVD were turned over to the Assistant United States Attorney's Office in El Centro, California.

The interview of SANTILLANES began at approximately 1044 hours.

SANTILLANES began the interview by explaining he had a problem in Arizona in 2002. SANTILLANES stated in 2002, he came into the United States with drugs and admitted to it because they threatened his family. SANTILLANES began to explain the events of the 2002 smuggling incident and was told to explain the current situation.

SANTILLANES explained this was the third time he smuggled drugs in this vehicle. SANTILLANES said they found him again and this is what happened. SA Gilgallon asked SANTILLANES how much he was being paid. SANTILLANES stated they were going to leave him and his family alone if he made six trips. SANTILLANES later said when he was referring to "they," he was speaking of individuals known to him as GORDO and CHAVEZ.

SANTILLANES said he knew drugs were in the vehicle, but did not know what type of drugs or where the drugs were hidden. SANTILLANES said he was taking the vehicle and drugs to a store in Mecca, CA. SANTILLANES stated he was told to leave the vehicle and an individual would pick it up. SANTILLANES was to wait two to three hours for the vehicle to be returned.

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SANTILLANES mentioned he felt much better because his family was not in danger anymore. SANTILLANES said he would pay for this and he was sure they were not going to be bothering him anymore.

SANTILLANES said that in 2002, he would not cross drugs for them and they threatened his family. SANTILLANES said they were going to kill his son, so he agreed. SANTILLANES said when he arrived at the POE in 2002, he was nervous and told the officers that he was carrying drugs. SANTILLANES said the Immigration Officers could not find the drugs at first, but eventually found them.

SA Gilgallon asked SANTILLANES why they were threatening him now. SANTILLANES stated they are upset because they think he told the officers about them in 2002. SANTILLANES said that about two months ago, GORDO and CHAVEZ brought him to the desert in San Luis, Sonora and GORDO put a gun to his head. GORDO waited for an order from CHAVEZ, but they changed their mind and told him that in exchange for his life he had to make six trips crossing drugs for them. SANTILLANES said he was not being paid, but after the sixth trip they were going to leave him alone.

SA Gilgallon asked SANTILLANES why he would bring his family with him if he was that scared. SANTILLANES said he wasn't going to bring them but Andrea wanted to see her cousin in Oasis, CA and he couldn't tell her no.

SA Gilgallon asked SANTILLANES why he crossed the border in Calexico and not San Luis, AZ. SANTILLANES said it was more convenient to cross at Calexico.

SANTILLANES stated his family did not know he had drugs in the vehicle because he never told them. SANTILLANES stated he knew it was illegal to bring drugs into the United States. SANTILLANES said he never told the police about GORDO and CHAVEZ because he was afraid of the authorities.

SANTILLANES was again asked how much he was being paid and stated they gave him $500.00 for expenses during the smuggling venture. (AGENTS NOTE: SANTILLANES was in possession of $590.00 cash) SANTILLANES said when they would give him the vehicle in San Luis, they would give him $500.00. SANTILLANES said he received a total of $1,500.00 for the three trips thus far. SANTILLANES stated they would leave the vehicle at a gas station in San Luis, Sonora with $500.00 in the ashtray and the keys under the floor mat. SANTILLANES said they never called him. SANTILLANES said he would see them and they would tell him where the vehicle was parked. SANTILLANES added he thought they were loading the vehicle in Mexicali because there was a receipt for a toll road in the vehicle. (AGENTS NOTE: There is a toll road between San Luis, SO and Mexicali, BC)

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SA Gilgallon seized $500.00 cash from SANTILLANES as drug smuggling proceeds. The $500.00 was transferred to the custody of the POE Seized Property Custodian (SPC).

SANTILLANES said he purchased the vehicle in Canoga Park, CA about two years ago. SANTILLANES said GORDO and CHAVEZ did not register the vehicle for him.

SANTILLANES did not know the complete names of GORDO and CHAVEZ, but knew what they looked like. SANTILLANES said Andrea did not know about the threats because he never told her. SANTILLANES said he had very little contact with GORDO and CHAVEZ and did not speak with them often.

The interview of SANTILLANES was concluded at approximately 1116 hours.

INTERVIEW OF HERNANDEZ, Andrea:

At approximately 1154 hours, SA Vasquez advised HERNANDEZ of her Miranda Rights by reading her an ICE pre-printed Advisement of Rights form in the Spanish language, witnessed by SA Gilgallon. HERNANDEZ stated that she understood her rights and waived her right, both orally and in writing, to have an attorney present during questioning. HERNANDEZ signed the Waiver of Rights and agreed to answer questions.

Agents recorded the following interview on a Digital Video Disc (DVD), which is maintained in the ASAC Calexico case file. Two copies of the DVD were turned over to the Assistant United States Attorney's Office in El Centro, California.

The interview of HERNANDEZ began at approximately 1159 hours.

HERNANDEZ said she did not know about the drugs in the vehicle. HERNANDEZ said they were going to see her cousin. HERNANDEZ never heard SANTILLANES speak of GORDO or CHAVEZ. SA Gilgallon asked HERNANDEZ if she knew SANTILLANES was involved in drug smuggling. HERNANDEZ stated SANTILLANES didn't speak to her about things like that. HERNANDEZ said she asked SANTILLANES about his job and how much he earns and he wouldn't tell her. HERNANDEZ said SANTILLANES had money sometimes and other times he didn't even have money for gasoline. HERNANDEZ said SANTILLANES borrowed money from her in the past. HERNANDEZ said she received approximately $2,400.00 in her possession from a cuindina.

The interview of HERNANDEZ was concluded at approximately 1221 hours.

HERNANDEZ and her minor son, Jose Hernandez, were turned over to CBP for

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processing by the Port Enforcement Team (PET). SANTILLANES was transported to the Imperial County Jail pending his initial appearance before a U.S. Magistrate Judge.

TECS record checks indicated SANTILLANES was arrested at the San Luis, AZ POE on August 1, 2002 for smuggling 14.30 kilograms (31.50 pounds) of cocaine in the gas tank of a 1996 Ford Explorer bearing AZ/US license plates 570-JJZ. (SL13CE02SL0136)

According to a Report of Investigation (ROI), SANTILLANES entered the United States at approximately 0620 hours and gave a negative oral Customs declaration to Senior Immigration Inspector (SII) Lemus. SII noticed SANTILLANES appeared overly friendly and nervous because his hand was shaking when he present his I-551. SANTILLANES said he owned the vehicle for three months but only recently registered it in his name. (AGENTS NOTE: SANTILLANES did not tell the officers about the drugs as stated in his November 4, 2007 interview.)

In vehicle secondary, SANTILLANES told Customs Inspector (CI) Arvizo he entered the United States to go shopping in San Luis, AZ. SANTILLANES again gave a negative oral Customs declaration. CI Arvizo noticed SANTILLANES appeared nervous and was slurring his speech. A NDD alerted to the gas tank of the vehicle. The gas tank was removed and a man made compartment was discovered on top of the gas tank. The compartment was opened and fifteen packages (15) of cocaine were discovered within the gas tank.

SANTILLANES told Customs Special Agents he was sitting in a park on July 28, 2002 when three men in a red Ford truck parked next to his vehicle. SANTILLANES said the men told him if he didn't cross some stuff in his vehicle they would kill his son.

SANTILLANES said that on July 30th, he left home to purchase some groceries, a small car intercepted his truck and a man got in with him. They drove SANTILLANES home and took the truck from him. On July 31st, at approximately 1900 hours, the men returned with the truck and told SANTILLANES to drive the truck through the POE between 0600 and 0700 hours. SANTILLANES stated he was to drive the truck to Maxi's market and leave the truck unlocked with the keys under the front seat. SANTILLANES was then to walk back into Mexico. The men told SANTILLANES that if he did this, they would pay him $2,000.00 and nothing would happen to his son. SANTILLANES stated that the men had told him the vehicle contained " chingadera". When questioned as to what the men meant by that term, SANTILLANES said that he thought they meant drugs. He didn't know what kind of drugs were in the vehicle but he was sure that there were drugs in the truck. SANTILLANES claimed he thought the men worked for the Mexican Police and he thought they would kill his son. He stated that the men knew

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where he lived and that he had told them he didn't want any money he just wanted to be left alone.

On November 4, 2007, SA Gilgallon found a copy of a Motion to Dismiss Complaint with prejudice in SANTILLANES' Nissan Sentra. Assistant U.S. Attorney Mark Wayne Reeves filed the motion on 10/28/02 in the U.S. District Court of Arizona. (Magistrate No. 02-2665M)

DEFENDANT:

NAME: Tomas SANTILLANES-Lopez
DOB: 12-21-60
SSN: [redacted]
POB: Culiacan, Sinaloa, Mexico
ADDRESS: [redacted]
Colonia Burocrata
San Luis Rio Colorado, Sonora, MX
PHONE: None

CRIMINAL HISTORY:

11-01-02 Failure to Appear 2nd Degree
Disposition: Unknown

12-24-06 DUI Alcohol/.08 Percent
Battery: Spouse/Ex Sp/Date/Etc
Disposition: Convicted DUI, Misdemeanor Sent: 36mo Prob.

VEHICLE DATA:

Year/Make: 1999 Nissan Sentra
License plate: CA/US 5ROY238
VIN: 1N4AB41D9XC717390
Registered Owner: Tomas SANTILLANES-Lopez
[redacted]
Lompoc, CA 93436

Vehicle seized under authority of Title 19 USC 1595(a)- Any conveyance used to import merchandise contrary to law may be seized and forfeited. Vehicle transferred to the custody of the Calexico Seized Property Custodian pending forfeiture proceedings.

VIOLATIONS OF LAW:

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ICE

REPORT OF INVESTIGATION
CONTINUATION

PAGE 8

CASE NUMBER [redacted]

REPORT NUMBER: 001

21 USC 952 and 960- Importation of Controlled Substances

JUDICIAL DISTRICT:

Southern District of California

DATE/TIME/PLACE OF ARREST AND SEIZURE:

November 4, 2007/Approximately 0704 hours/Calexico West POE

CHAIN OF CUSTODY FOR NARCOTICS:

Cocaine
Submitted to: DEA Laboratory, Vista, CA [redacted]

LIST OF WITNESSES:

Primary Officer: R. Torres
Secondary Officer: G. Valenzuela
Canine Enforcement Officer: C. Jones

FP&F:

Request the retention of the evidence (1999 Nissan Sentra, CA/US 5ROY238) until final disposition of the case.

CASE AGENT:

Special Agent Jeffrey J. Gilgallon [redacted]

INVESTIGATION CONTINUES.

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